

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8545 of 1989
with
CIVIL APPLICATION NO.8672 OF 1989

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

MAGANLAL DAHYABHAI MODI

Versus

URBAN LAND TRIBUNAL & EX-OFFICIO

Appearance:

MR PM BHATT for Petitioner
Ms Manisha Lavkumar, AGP, for Respondent No. 1, 2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 10/08/1999

ORAL JUDGEMENT

Heard Mr Bhatt for the petitioner and Ms Manisha
Lavkumar, learned AGP, for the respondents.

2 The petitioner has challenged the order passed by
the competent authority and the order passed by the
Tribunal under the provisions of the Urban Land (Ceiling

& Regulation) Act, 1976. In view of the written instructions dated 21.6.1999 (Sl.No.45) received by the Government Pleader's office from Mr B.G.Jhalavadia, competent authority and the Additional Collector, ULC, Ahmedabad, the learned AGP states that the possession of the land was not taken over by the authorities.

3 The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March 1999, passed under Article 252(2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4 The petition is accordingly disposed of as having abated. There shall be no order as to costs.

5 Civil Application No.8672 of 1989 filed by Mangalbhai and 7 others would not survive since the main petition itself has abated. Civil Application No.8672 of 1989 accordingly stands disposed of.

(M S SHAH, J.)
(mohd)